

REMARKS

Claims 1 through 22 are pending in the application.

Claim 19 was objected to.

Claims 1 through 22 were rejected.

Claims 1, 9, 12, 19 and 21 have been amended.

Claim Objections

Applicant has objected to claim 19 because of an informality. Applicant has amended claim 19 as suggested by Examiner to correct the informality.

Claim Rejections

Examiner has rejected claims 1 through 6, 12 through 16 and 20 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,305,197 (Axler).

Examiner has rejected claims 9, 10, 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by USPN 5,630,103 (Smith).

Examiner has rejected claims 7, 8 and 17 through 19 under 35 U.S.C. § 103(a) as being unpatentable over Axler in view of USPN 6,209,103 (Aisenberg).

Examiner has rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Aisenberg.

Applicant has amended the claims to emphasize the clear differences of the present invention over the cited art. Applicant respectfully traverses the rejection of the claims as amended.

Below Applicant points out subject matter in each independent claim not disclosed or suggested by the cited art. On the basis of this, Applicant believes all the claims are allowable over the cited art.

Discussion of Independent Claim 1

Claim 1 sets out a publication delivery system. A printing mechanism prints copies of a publication before copies are requested by potential customers so that after a copy of the printed publication is requested by a customer, the customer can receive the copy of the printed publication without having to wait for the printing mechanism to print the copy of the publication. This is not disclosed or suggested by the cited art.

In Axler, a consumer selects a particular displayed coupon through the keypad. That coupon is then printed by the printer. See Axler at column 7, lines 16 through 18. Axler does not disclose or suggest that a printing mechanism prints copies of a publication before copies are requested by potential customers so that after a copy of the printed publication is requested by a customer, the customer can receive the copy of the printed publication without having to wait for the printing mechanism to print the copy of the publication.

Discussion of Independent Claim 9

Claim 9 sets out a method for distributing a publication by an automated kiosk. In response to a customer ordering a publication, a time stamp on a most

recently printed publication stored in a storage area is checked. The storage area is used to store already printed copies of the publication so that after the publication is ordered by the customer, the customer can receive a printed copy of the publication without having to wait for a printing mechanism to print the copy of the publication. This is not disclosed or suggested by the cited art.

Examiner has argued that electronic storage of a data file performed by Smith meets this limitation. However, the amendment made to claim 9 does not leave this option open. The storage area cannot be implemented by electronic storage of a data file. Particularly, an electronic data file cannot store already printed copies of a publication so that after the publication is ordered by the customer, the customer can receive a printed copy of the publication without having to wait for a printing mechanism to print the copy of the publication.

Discussion of Independent Claim 12

Claim 12 sets out a method for distributing a publication by an automated publication delivery system. Activity level around a physical location of the publication delivery system is monitored in order to detect proximity of potential customers. In response to detection of an increased activity level around the physical location of the automated publication delivery system, additional copies of the publication are printed for distribution so that copies are already printed before being ordered by customers so that after a copy of the printed publication is ordered by a customer, the customer can receive the copy of the printed

publication without having to wait for the printing mechanism to print the copy of the publication. This is not disclosed or suggested by the cited art.

In Axler, a consumer selects a particular displayed coupon through the keypad. That coupon is then printed by the printer. See Axler at column 7, lines 16 through 18. Axler does not disclose or suggest that copies are already printed before being ordered by customers so that after a copy of the printed publication is ordered by a customer, the customer can receive the copy of the printed publication without having to wait for the printing mechanism to print the copy of the publication.

Discussion of Independent Claim 21

Claim 21 sets out a printing mechanism for printing a publication. A storage area that stores printed publications, the storage area being used to store already printed copies of the printed publication so that after a printed copy of the printed publication is requested by a customer, the customer can receive an already printed copy of the printed publication without having to wait for the printing mechanism to print the already printed copy of the publication. A time stamp reader reads a time stamp on a most recently printed publication stored in the storage area. This is not disclosed or suggested by the cited art.

Examiner has argued that electronic storage of a data file performed by Smith meets this limitation. However, the amendment made to claim 9 does not

leave this option open. The storage area cannot be implemented by electronic storage of a data file. Particularly, an electronic data file cannot store already printed copies of a publication so that after the publication is ordered by a customer, the customer can receive a printed copy of the publication without having to wait for a printing mechanism to print the copy of the publication.

Conclusion

Applicant believes this Amendment has placed the present case in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

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